

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re Bair Hugger Forced Air Warming
Products Liability Litigation

MDL No. 15-2666 (JNE/FLN)

This Document Relates To:
All Actions

**DECLARATION OF MONICA L.
DAVIES IN SUPPORT OF
DEFENDANTS' MOTION TO
COMPEL THIRD PARTY
DR. SCOTT AUGUSTINE TO
PRODUCE DOCUMENTS IN
RESPONSE TO SUBPOENAS**

Monica L. Davies, being first duly sworn, deposes and declares:

1. I am one of the attorneys representing Defendants in connection with the above-referenced matter. I make this declaration in support of Defendants' Motion to Compel Third Party Dr. Scott Augustine to Produce Documents in Response to Subpoenas.
2. Attached hereto as Exhibit 1 is a copy of a series of email exchanges between counsel for 3M, counsel for Plaintiffs, and counsel for Dr. Augustine, dated between March 14, 2017 and May 1, 2017.
3. Attached hereto as Exhibit 2 is a copy of an email exchange between David W. Hodges, J. Randall Benham, Gabriel Assaad, Scott Augustine and Dan Grewe, dated July 10-11, 2013, which was produced to Defendants in discovery.
4. Attached hereto as Exhibit 3 is a copy of an email exchange between David W. Hodges, J. Randall Benham, Dan Grewe and Gabriel Assaad, dated June 27-28, 2013, which was produced to Defendants in discovery.

5. Attached hereto as Exhibit 4 is a copy of an email exchange between J. Randall Benham, Gabriel Assaad, Scott Augustine and Brent Augustine, dated June 7, 2013, which was produced to Defendants in discovery.

6. Attached hereto as Exhibit 5 is a copy of an email exchange between J. Randall Benham, David W. Hodges, Dan Grewe and Gabriel Assaad, dated July 2, 2013, which was produced to Defendants in discovery.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 12th day of January, 2018.

s/ Monica L. Davies
Monica L. Davies (MN #0315023)
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